

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION

U.S.A. vs. Jarvis Lee Bryant

Docket No. 2:03-CR-1-1BO

Petition for Action on Supervised Release

COMES NOW Scott Plaster, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jarvis Lee Bryant, who, upon an earlier plea of guilty to Felon in Possession of a Firearm, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on August 28, 2003, to the custody of the Bureau of Prisons for a term of 188 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

On November 9, 2012, the defendant's judgment, upon a motion to the court pursuant to 28 U.S.C. § 2255, was amended, reducing the period of imprisonment from 188 months to time served.

Jarvis Lee Bryant was released from custody on November 9, 2012, at which time the term of supervised release commenced.

A Violation Report was submitted to the court on August 21, 2013, advising the court that the defendant had tested positive for cocaine use on July 30, 2013. The defendant admitted using cocaine, but he refused the opportunity to participate in treatment. He was verbally reprimanded for his drug use, his drug testing frequency was increased, and his reporting requirements were also increased. It was recommended that supervision continue with no additional action taken; however, the defendant was advised that additional use and refusal to participate in treatment would result in a return to court. The court concurred with the recommendation.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

After notifying the court of the aforementioned positive drug test, the probation office was notified that the defendant had also tested positive for cocaine on August 16, 2013. The defendant was questioned regarding additional drug use, and he denied using cocaine. The probation officer met with the defendant on September 30, 2013, and the defendant continued to deny using cocaine,

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despite the results of the laboratory test. He also denied the need for substance abuse treatment and refused the same. In lieu of returning to court as previously reported, it is recommended the defendant serve a period of two consecutive weekends in the custody of the Bureau of Prisons, as arranged by the Bureau of Prisons and the designated facility. Additionally, his drug testing frequency has been increased again. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 2 consecutive weekends, and shall abide by all rules and regulations of the Bureau of Prisons and the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Scott Plaster
Scott Plaster
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: October 3, 2013

ORDER OF COURT

Considered and ordered this 4 day of October, 2013, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge